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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,606	03/15/2002	Eric I-Chao Chang	M61.12-0415	4332
27366 7590 01/28/2008 WESTMAN CHAMPLIN (MICROSOFT CORPORATION) SUITE 1400 900 SECOND AVENUE SOUTH MINNEAPOLIS, MN 55402-3319			EXAMINER AZAD, ABUL K	
			ART UNIT 2626	PAPER NUMBER
			MAIL DATE 01/28/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/099,606

Applicant(s)

CHANG, ERIC I-CHAO

Examiner

ABUL K. AZAD

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9-15, 17 and 20-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7, 9-15, 17 and 20 is/are allowed.
- 6) ☒ Claim(s) 21-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on October 30, 2007.
2. Claims 1-7, 9-15, 17, 20-27 are pending in this action. Claims 1, 3, 5-7, 11, 21, have been currently amended. Claims 8, 16, 18 and 19 have been canceled.
3. The applicant's arguments with respect to claims 21-27 have been fully considered but they are not deemed to be persuasive. For examiner's response to the applicant arguments or comments, see the detailed discussion in the Response to the Arguments section.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 21, 23, 25-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Field et al. (GB 2 364 850).

As per claim 21, Field teaches, "a method of processing voice messages", comprising:

"storing the voice messages at a non-server based voice message (VM) data store" (page 8, lines 1-3 and lines 12-14);

"intermittently accessing the VM data during runtime store to determine whether a new voice message has been stored" (page 5, lines 6-32);

"for each new voice message, processing the new voice message at a non-server based processor, during runtime, wherein processing includes extracting acoustic features from the new voice message and accessing acoustic speaker identification models to obtain speaker identity identifying a speaker of the new voice message, the extracted data further comprising acoustic features indicative of other desired information, and a textual representation of a content of the new voice message" (Page 6, lines 1-33); and

"augmenting data in the VM data store with the extracted data" (Page 7, lines 1-12).

As per claim 23, Field teaches, "wherein the acoustic features include a speaking rate indicator indicative of a speaking rate of the speaker of the new voice message, and further comprising: normalizing the speaking rate to a user-selected speaking rate" (Page 6, lines 1-17).

As per claim 25, Field teaches, "receiving a rules input indicative of user-selected rules to be applied to the new voice message; and applying the user-selected rules based on the extracted data" (Page 6, lines 1-17).

As per claim 26, Field teaches, "semantically parsing the textual representation of the new voice message" (Page 7, lines 14-24).

As per claim 27, Field teaches, "generating a user interface to the VM data store, the user interface including user-actuable inputs for manipulating the voice messages in the VM data store" (page 8, lines 1-3, and lines 12-14).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Field et al. (GB 2 364 850) as applied to claim 21 above, and further in view of St. John (WO 01/16936).

As per claim 22, Field does not explicitly teach, "acoustic feature extractor configured extract features indicative of speaker emotion and provide an emotion output indicative of the speaker's emotion". However, St. John teaches, "acoustic feature extractor configured extract features indicative of speaker emotion and provide an emotion output indicative of the speaker's emotion" (page 16, line 32 to page 17, line 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use St. John's teaching in the invention because one ordinary skill in the art would readily recognize that emotion detection provides a better customer service according to the emotion of customer's voice message.

8. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Field et al. (GB 2 364 850) as applied to claim 21 above, and further in view of Well-known prior art.

As per claim 24, Field does not explicitly teach a speaker model training component to train speaker identification model. Official Notice is taken on well-known

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train speaker identification model. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to train speaker identification model because that would provide reference model to identify an authorized user.

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(571) 272-7599**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Patric Edouard**, can be reached at **(571) 272-7603**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450


Or faxed to: **(571) 273-8300**.

Hand-delivered responses should be brought to **401 Dulany Street, Alexandria, VA-22314** (Customer Service Window).

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 21, 2008



Abul K. Azad
Primary Examiner
Art Unit 2626